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The author is a strong advocate of pacific blockade not merely as a fact of international practice, but as a legally permissible principle or institute of international law. He is even numbered amongst the few publicists, comparatively speaking, who hold that third Powers are bound to observe the rules or regulations laid down by the blockading Power. This is a view which finds little support amongst the authorities and has been officially repudiated, at least by the Governments of England and the United States. It is founded neither on principle nor on general international practice. A third Power may undoubtedly find it to its interest to observe such a blockade as a matter of policy, but it lies under no legal obligation to do so. This is false and dangerous doctrine. On this point the reviewer agrees with Westlake who holds in substance, that while "quasi-belligerents" may resort to pacific blockade and even seek to enforce its regulations against third Powers, the latter may refuse to submit to interference with their commerce and treat the contest as a war if such interference is persisted in.

On the whole this is a scientific monograph and a real contribution to the subject of which it treats. It also includes a valuable bibliography.

AMOS S. HERSHEY.

Sea Law and Sea Power as they would be affected by recent proposals: with reasons against those proposals. By Thomas Gibson Bowles, M. P. London: John Murray. 1910. pp. xv, 296.

The above volume has been written by Mr. Thomas Gibson Bowles, known as a violent and rather eccentric agitator against the Declaration of Paris and of later days against the Declaration of London. The truth is that Mr. Bowles is not only opposed to these declarations but also in his innermost heart to any tenet of international law which may in any future occasion of war time or peace be inconvenient or restrict the British navy from exercising its will or power. He is an extreme and violent advocate of that school in the British navy — not by any means dumb — whose argument is that of *force majeure* and which is exemplified by the old stanzas,

We have the guns,
We have the men,
We have the money, too,
And by Jingo, etc., etc.

But conditions have changed since the Napoleonic wars and stronger naval Powers exist and what is more pertinent, still stronger alliances

of naval Powers have been formed which render the jingo cry a matter of impossible enforcement. Take the question of the conversion of merchantmen into men-of-war and back into seemingly inoffensive merchantmen. The advocacy of this doctrine not only came from Germany with whose naval war policy it coincides, and her ally Austria, but from France and Russia, possible allies of Great Britain and also from Japan an actual ally of the British Empire under very possible circumstances. Nations even with the *entente cordiale* or with actual alliances still preserve their own views and a quick recognition of their own interests.

No nations acted entirely and from the beginning during the London Conference in unison with Great Britain, and the fact that an agreement was at all reached surprised the participants even more than the outside world. That the great naval Powers of the world, keenly alive to their own vital interests now largely transferred from the land to the sea, should have agreed to so much is still a surprise and should be a delight to all who recognize that the result is for the diminution of international friction, for the increase in weight of the tenets of international law, and for the recognition of the essential rights of other nations. Even two such naval Powers as the United States and Great Britain, with a common origin and similar authorities, found difficulty and impossibility at times in joining hands over certain matters.

Mr. Bowles has often spoken of the United States favorably as a dissenting Power with respect to the Declaration of Paris; but he does not seem to realize that we do really favor the principles of that declaration, and have also put them into effect in every war in which we have been engaged since that declaration was agreed to. Wishing, however, to secure the immunity of private property at sea from capture, we have held out from being a signatory to the Declaration of Paris until this desired immunity was granted. As we observe the declaration and do not in the meantime give the immunity of enemy private property at sea as a matter of practise, the rest of the maritime world is indifferent to our present status, and Mr. Bowles, like ourselves, can not derive any comfort from our attitude as a non-signatory Power.

Part of Mr. Bowles' book is taken up with an argument against this proposed immunity of the capture of private property of an enemy upon the sea which is of course foreign to the subject of the Declaration of London, which leaves this question undisturbed.

Mr. Bowles having paid his respects to the Declaration of Paris in

words and manner familiar to those who have read and heard him upon his favorite subject for many years past, passes on to the International Prize Court and its convention of the Second Hague Conference. His views with respect to this convention are decidedly "insular." He ignores the complaints of the belligerent prize courts of the late Russo-Japanese war and the fact that a prize court of appeal with an English judge upon the bench is vastly better than a military or exclusively foreign prize court of the last resort. Perhaps he assumes, as his words lead one to suppose, that the sea power of Great Britain is the court of appeals which he proposes to bring into necessary action to secure the reversal of any decision which may be judged prejudicial to British interests. In this case he and his views belong to a period nearer barbarism and the dark ages than the present. No country esteems its highest court, the Supreme Court of the United States, with more esteem than we do, and yet we have ratified in our last Congress the International Prize Court Convention with the protocol practically as it was drawn up in connection with the Declaration of London. Logically the ratification of the Declaration of London will follow next, so as to form a code of international law to be used in combination with the general report of the drafting committee of the Naval Conference as adopted at its eleventh plenary meeting on February 25, 1909.

It would take too much time to follow in detail Mr. Bowles' objections to various articles of the Declaration of London. The omissions were found impossible of agreement. Many such omissions now called for like the Rule of the War 1756 would not be accepted by France, Holland, Japan, or the United States. Other articles adopted were formulated as a reasonable compromise, and the whole instrument represents many steps in advance in the rules of capture of prizes and toward a wise codification of international law.

I can not resist the closing of this review by a quotation from a letter of Mr. Frederic Harrison, a well known English publicist, to the London *Times* in relation to Mr. Bowles' book and arguments. He says:

With all the admiration I feel for the ability and patriotism of my friend Mr. Bowles, it seems to me that his championship of the opposition to the Declaration is the most fatal advocacy it could have. Mr. Bowles has long devoted his great powers as publicist and as orator to assail the progressive ideas of the civilized world about naval war, and to denounce arguments which all the best jurists at home and abroad have recognized as axioms since the Declaration of Paris in 1856. One who seeks to put back the growth of International Comity by half a century is really out of Court at once. To listen to Mr. Bowles on the Hague Conference and that of London is like asking the Society of Friends to discuss the Naval Estimates.

CHARLES H. STOCKTON.